

*Here is the right-of-way example from Module 2, in its entirety. Remember, the non-italicized text is what would go in your NEPA document. The italicized text provides explanation.*

*The proposed action is for the BLM to grant a 10-acre right-of-way (ROW) to the applicant to construct a 16-foot wide road across BLM-administered land to access the applicant's property.*

Issues Analyzed in Detail (Chapter 1 of your NEPA document)

The following issue was identified for detailed analysis based on the criteria in the BLM NEPA Handbook, (BLM NEPA Handbook 6.4):

**How would granting the right-of-way for road construction affect sage grouse habitat?**

**Geographic scope** (*this could go in Chapter 1 or 3 of your NEPA document*)—The State Sage Grouse Plan (Department of Fish and Wildlife 2009) includes recommendations for avoiding development within 0.5 miles of wintering areas and brood-rearing habitats. As such, the geographic scope for the analysis of this issue is the 2,000-acre area within 0.5 miles of the proposed right-of-way.

**Temporal scope** (*this could go in Chapter 1 or 3 of your NEPA document*)—The proposed right-of-way would result in the construction of a permanent road. Although construction of the road would be completed in one year, the removal of sage grouse habitat would be permanent. The temporal scope for analysis of this issue is limited to 10 years, because forecasting future actions that would have a cumulative effect on sage grouse habitat beyond 10 years would be speculative.

Affected Environment (Chapter 3 of your NEPA document)

*Impact indicator: acres of sage grouse habitat*

This analysis is tiered to the RMP EIS, in which the current condition of sage grouse habitat within the Dry Creek Watershed (which includes the project area) was analyzed. That analysis concluded that there are currently 10,900 acres of sage grouse habitat in the watershed and that sage grouse habitat is in good condition because of the large, contiguous patches of sagebrush (RMP EIS, Chapter 3, p. 19-21). That analysis is incorporated here by reference.

The 10-acre area of the proposed right-of-way is all currently sage grouse habitat, with vegetation dominated by low sagebrush and mountain big sagebrush, but does not constitute wintering areas or brood-rearing habitats. The nearest occupied lek is more than 5 miles from the proposed right-of-way location.

Cumulative Effects Analysis (Chapter 4 of your NEPA document)

**Past actions**—The effects of past actions on sage grouse habitat condition within the Dry Creek Watershed were analyzed in the description of the affected environment in the RMP EIS (Chapter 3, pp. 15-18). The RMP EIS analysis showed that, although past livestock grazing in the watershed affected vegetation condition, it hasn't reduced habitat quantity or quality for sage grouse. That analysis is incorporated here by reference. Construction of County Road 32 in the 1960s permanently removed 20 acres of habitat within the 2,000-acre analysis area.

**Present actions**—There are no other present actions within the 2,000-acre analysis area that are measurably affecting sage grouse habitat. Livestock grazing within the allotment is ongoing, and the 2009

Dry Creek Allotment Evaluation determined that livestock grazing is not degrading sage grouse habitat and that Standards for Rangeland Health and Guidelines for Livestock Grazing Management are being achieved (Allotment Evaluation, p. 27). That evaluation is incorporated here by reference.

**Reasonably foreseeable actions**—The County proposed to widen County Road 32 in three years, which would remove five acres of sage grouse habitat. It is reasonably foreseeable that livestock grazing within the allotment would continue, but it is not reasonably foreseeable that the effect of future livestock grazing on sage grouse habitat would differ from past livestock grazing.

Removing five acres of grazing land by widening the road would not alter grazing intensity, because of the large size of the allotment and the low level of utilization, as described in the 2009 Dry Creek Allotment Evaluation (p. 3).

In the evaluation, we determined that livestock grazing is not degrading sage grouse habitat in this area and that Standards for Rangeland Health and Guidelines for Livestock Grazing Management are being achieved (Allotment Evaluation, p. 27). That evaluation is incorporated here by reference.

**Direct and indirect effects of the proposed action and alternatives**—Under the No Action Alternative, the BLM would not approve the right-of-way application and the road would not be constructed. As a result, no sage grouse habitat would be removed.

Under Alternative A, road construction would result in the removal of 10 acres of sage grouse habitat. The habitat that would be removed is not a wintering area or brood-rearing habitat. The nearest wintering areas and brood-rearing habitats are more than 0.5 miles from the proposed right-of-way.

***Combine the effects***—

*Impact Indicator: Amount of sage grouse habitat*

*A graph, similar to Figure 6.3 in the BLM NEPA Handbook, might be useful here.*

No Action

*Baseline = 2,000 acres*

*past actions (county road construction) 2,000 acres – 10 acres = 1,990 acres*

*present actions (none)*

*future actions (widening county road) 1,990 – 5 acres = 1,985 acres*

*proposed action = no removal of sage grouse habitat*

*cumulative effect = 15 acres of sage grouse habitat would be removed, reducing the amount of sage grouse habitat from 2,000 to 1,985 acres.*

Action Alt A

*Baseline = 2,000 acres*

*past actions (county road construction) 2,000 acres -10 acres = 1,990 acres*

*present actions (none)*

*future actions (widening county road) 1,990 – 5 acres = 1,985 acres*

*proposed action (ROW road construction) 1,985 acres – 10 acres = 1,975 acres*

*cumulative effect = 25 acres of sage grouse habitat would be removed, reducing the amount of sage grouse habitat from 2,000 to 1,975 acres.*

***Describe the relationship of the cumulative effects to any thresholds***—The cumulative effect of the No Action Alternative combined with past and reasonably foreseeable actions would result in removal of 15 acres of sage grouse habitat, reducing the amount of habitat to 1,985 acres within the 2,000-acre analysis area.

The cumulative effect of Alternative A combined with past and reasonably foreseeable actions would result in removal of 25 acres of sage grouse habitat, reducing the amount of habitat to 1,975 acres within the 2,000-acre analysis area. The habitat that would be removed is not a wintering area or brood-rearing habitat. The proposed right-of-way is more than 3 miles from the nearest occupied lek and more than 0.5 mile from the nearest wintering areas or brood-rearing habitat. Therefore, removal of habitat under Alternative A would not alter the protection of essential sage grouse habitat and would meet habitat and population objectives described in the State Sage Grouse Plan (2009).

*(In this example, this analytical conclusion would provide the foundation for a finding of no significant impact for this issue).*